

MERCK-3095

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/561989


PRIORITY DATE CLAIMED

25 June 2003 (25.06.2003)

Philippe GUEDAT, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
 2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
 3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
 4. ☒ The US has been elected (Article 31).
 5. ☒ A copy of the International Application as filed (35 U.S.C. '371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
 6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☒ has been previously submitted under 35 U.S.C. 154(d)(4).
 7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
 8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
 9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 10. ☐ English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11 to 20 below concern document(s) or information included:**
11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
 12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
 13. ☒ A preliminary amendment.
 14. ☐ An Application Data Sheet under 37 C.F.R. 1.76.
 15. ☐ A substitute specification.
 16. ☐ A power of attorney and/or change of address letter.
 17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
 18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
 19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
 20. ☐ Other items or information:.

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|---|--|--|---------|--|----|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/561989 | | INTERNATIONAL APPLICATION NO. PCT/EP2004/005931 | | ATTORNEY'S DOCKET NUMBER MERCK-3095 | |
| The following fees have been submitted | | | | CALCULATIONS PTO USE ONLY | |
| 21. | <input checked="" type="checkbox"/> Basic national fee | \$300 | | \$300.00 | |
| 22. | <input checked="" type="checkbox"/> Examination fee | | | \$200.00 | |
| If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) | | \$100 | | | |
| All other situations | | \$200 | | | |
| 23. | <input checked="" type="checkbox"/> Search fee | | | \$500.00 | |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an | | | | | |
| International Searching Authority | | \$100 | | | |
| International Search Report prepared and provided to the Office | | \$400 | | | |
| All other situations | | \$500 | | | |
| Total of 21, 22 and 23 = | | | | \$1000.00 | |
| <input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| 693- 100 | 593/50 = | 12 | x \$250 | \$3000.00 | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)). | | | | \$4000.00 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total Claims | 18- 20 = | 0 | x \$50 | \$ | |
| Independent Claims | 1- 3 = | 0 | x \$200 | \$ | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360 | \$ | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$4000.00 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. | | | | | |
| SUBTOTAL = | | | | \$ | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$4000.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$4000.00 | |
| | | | | Amount to be refunded: | \$ |
| | | | | Amount to be charged: | \$ |
| a. | <input checked="" type="checkbox"/> | A check in the amount of <u>\$4000.00</u> to cover the above fees is enclosed. | | | |
| b. | <input type="checkbox"/> | Please charge my Deposit Account No. 13-3402 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. | | | |
| c. | <input checked="" type="checkbox"/> | The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-3402. A duplicate copy of this sheet is enclosed. | | | |
| d. | <input type="checkbox"/> | Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form Provide credit card information and authorization on PTO-2038. | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: | | | | | |
|  SIGNATURE # <u>32,004</u> <u>Anthony J. Zelano</u> NAME 27,969 REGISTRATION NUMBER | | | | | |
| Date: December 23, 2005 | | | | | |